

CHAPTER NO. 63

HOUSE BILL NO. 2019

By Representatives Rhinehart, Curtiss

Substituted for: Senate Bill No. 2071

By Senator Cooper

AN ACT to provide for the location and development of planned mobile home parks in Warren County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The purpose of this act is to provide areas within the confines of the unincorporated sections of Warren County for the location and development of planned mobile home parks. These areas shall be developed and located so as to provide safe and sanitary living conditions for mobile home occupants and to be convenient to employment, shopping centers, schools, and other community facilities. This act requires that all mobile home parks be developed to certain standards and be reviewed and approved by the Warren County Planning Commission. This act shall be entitled the "Warren County Mobile Home Park Regulations Act of 2000."

SECTION 2. As used in this act, unless the context otherwise requires:

(1) "Buffer strip" means a perimeter buffer/screening strip along all property lines consisting of an opaque privacy fence and/or double row of evergreen trees or other vegetation that provides a year-round buffer of not less than six feet (6') in height and fifteen feet (15') in width.

(2) "Mobile home park" means three (3) or more mobile homes on any size parcel of property on a septic system or on a private or public sewer system. "Mobile home park" does not include two (2) mobile homes on one (1) parcel of property subject to approval by the county environmentalist.

(3) "Planning Commission" means the Warren County Regional Planning Commission.

SECTION 3. It shall be a violation of this act for any person or entity to place or maintain three (3) or more mobile homes for living or sleeping purposes on any premises or tract of land in Warren County outside the existing corporate limits unless such mobile homes are contained within a planned mobile home park duly permitted pursuant to the provisions of this act.

SECTION 4.

(a) Mobile home parks may be grandfathered in at the discretion of the planning commission under the following conditions:

(1) The mobile home park was completed and occupied on or before the effective date of this act; or

(2) A planned expansion or addition to an existing mobile home park is submitted to the planning commission.

(b) A mobile home park under development or being planned as of the effective date of this act shall present information to the planning commission for review and determination of status. If the park is planned but construction has not begun, the mobile home park shall not be considered as grandfathered. Construction includes designing roads, installing septic tanks and field lines, water lines, electric lines or mobile home pads, or any other similar construction directly related to the mobile home park.

(c) The information to be considered by the planning commission in grandfathering a mobile home park includes, but is not limited to, the dates on which the following activities have or will occur:

- (1) Purchase of property;
- (2) Mapping of soils;
- (3) Submission of plans to the county environmentalist;
- (4) Approval of septic tank permits;
- (5) Water line installation; and
- (6) Purchase of piping.

SECTION 5. The planning commission shall grant approval of a mobile home park when all of the provisions of this act have been met. An application and all accompanying plans shall be submitted to the planning commission at least seven (7) days prior to a regular meeting of the planning commission. The owner or lessee of the land proposed for a mobile home park shall submit a plan for development that shows the following:

- (1) The park plan drawn to scale;
- (2) The area and dimensions of the proposed park;
- (3) The locations and widths of all internal roads, driveways or walkways;
- (4) The locations and dimensions of any proposed service buildings and structures;
- (5) The location and size of all water and sewer lines;
- (6) The location of all equipment and facilities for refuse disposal and other park improvements;
- (7) A drainage plan for the park;
- (8) A certificate of accuracy signed by the surveyor or engineer that the boundary survey is correct;
- (9) A certificate signed by the county environmentalist stating the suitability for subsurface sewage disposal;
- (10) A certificate of accuracy signed by the county road superintendent for the existing roads fronting the proposed mobile home park; and

(11) Any other information deemed necessary by the planning commission.

SECTION 6. (a) All mobile home parks shall have direct access to a public road. The planning commission may consider a variance if the road is not public but meets the minimum construction and dimension requirements for a county road.

(b) Each mobile home shall be set back a minimum of fifty feet (50') from any public street and each mobile home park shall be designed so that the distance between mobile homes is a minimum of thirty feet (30') in all directions.

(c) Each mobile home shall be set back a minimum of thirty feet (30') from any drainage channel or from any 100-year floodplain and shall be set back a minimum of ten feet (10') from any utility easement.

(d) The internal roads and parking for a mobile home park shall meet the following requirements:

(1) Such roads shall be privately owned and maintained;

(2) All such roads shall be a minimum tar/chip surface and eighteen feet (18') wide. Internal roads may be up to thirty-four feet (34') wide if on-street parking is permitted;

(3) Parking spaces, driveways and walkways shall be tar/chip or hot-mix paved;

(4) There shall be a minimum of two (2) off-street parking spaces per mobile home;

(5) There shall be a minimum of one (1) street light for every two (2) mobile homes;

(6) The planned intersection of park entrances with public roads shall be approved by the county road superintendent; and

(7) Entrances and exits to a mobile home park shall be designed for safe and convenient movement of traffic into and out of the park and shall be located and designed as prescribed by the county road superintendent and the planning commission.

(e) The sewer system of a mobile home park shall meet the following requirements:

(1) If the mobile home park is on a utility district system, a maximum of six (6) mobile homes per acre shall be allowed on the sewer system;

(2) If the mobile home park is on individual septic tank systems, a maximum of four (4) mobile homes per acre, subject to soil conditions, shall be allowed;

(3) There shall be no septic tanks or field lines within a designated floodplain area; and

(4) There shall be a maximum of two (2) mobile homes per septic tank and field lines with approval by the county environmentalist.

(f) The water system in each mobile home park shall meet the following requirements:

(1) There shall be a fire hydrant within five hundred feet (500') of all mobile homes; and

(2) Each mobile home shall be on a separate water meter.

(g) There shall be a flood-free building site for each mobile home and septic system.

(h) There shall be a minimum fifteen (15) foot utility easement for water, gas or electric along internal roadways unless a different location or size is required by the applicable utility or unless the easement is provided elsewhere in the mobile home park.

(i) The following shall apply to the common areas of a mobile home park:

(1) There shall be an attendant or caretaker at the mobile home park;

(2) The service buildings shall be of permanent construction;

(3) All mobile homes, service buildings and the grounds of the mobile home park shall be maintained and kept clean, orderly, safe and sanitary; and

(4) The recreation or open space shall be based on a three hundred (300) square foot mobile home and shall be subject to review and enforcement by the planning commission based upon the submission of a required preliminary and final mobile home park development plat and drainage plan.

SECTION 7. No person shall create, develop, maintain or operate a mobile home park without approval from the planning commission.

SECTION 8. Any of the provisions of this act may, at the discretion of the planning commission, be waived for good and sufficient reason; provided, however, all mobile home park requests shall be submitted to the planning commission for review and shall be accompanied by a mobile home park development plan. The planning commission shall review all mobile home park plans for preliminary and final approval. Expansion of an existing mobile home park shall be submitted to the planning commission for approval and shall conform to the standards established in this act.

SECTION 9. The county commission shall have the authority to establish operational procedures for administering the provisions of this act and to establish reasonable fees for the administration thereof.

SECTION 10. This act may be enforced by seeking injunctive or other relief. A code inspection officer shall be designated by the county commission and/or county executive for enforcement purposes. Any person or entity who willfully neglects or refuses to comply with any provision of this act shall be subject to a civil penalty of not

more than one hundred dollars (\$100) for each offense. Each day of a violation shall constitute a separate offense.

SECTION 11. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Warren County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Legislative Body and certified to the Secretary of State.


SECTION 13. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 12.

PASSED: January 31, 2000


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 8th day of February 2000


DON SUNDQUIST, GOVERNOR